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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARK ERIC BAYNE,

Defendant.

Case No. 2:24-mj-00670 DBP

SEALED

FELONY COMPLAINT

COUNT 1

Violation of 18 U.S.C. § 2261A(2)(b)
(Cyberstalking)

COUNT 2

Violation of 18 U.S.C. § 2261A(2)(b)
(Cyberstalking)

COUNT 3

Violation of 18 U.S.C. § 875(c)
(Interstate Threats)

Judge Dustin B. Pead

Before the Honorable Dustin B. Pead, Chief United States Magistrate Judge for
the District of Utah, appears the undersigned, who on oath deposes and says:

COUNT 1

18 U.S.C. § 2261A(2)(b) (Cyberstalking)

On or about June 25 through July 1, 2024, in the District of Utah,

MARK ERIC BAYNE,

the defendant herein, with the intent to kill, injure, harass, and intimidate, used any interactive computer service and electronic communication service and electronic communication system of interstate commerce, and any other facility of interstate commerce to engage in a course of conduct that placed Person A in reasonable fear of death and serious bodily injury, and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Person A; all in violation of 18 U.S.C. § 2261A(2).

COUNT 2

18 U.S.C. § 2261A(2)(b) (Cyberstalking)

On or about June 25 through July 1, 2024, in the District of Utah,

MARK ERIC BAYNE,

the defendant herein, with the intent to kill, injure, harass, and intimidate, used any interactive computer service and electronic communication service and electronic communication system of interstate commerce, and any other facility of interstate commerce to engage in a course of conduct that placed Person B in reasonable fear of death and serious bodily injury, and caused, attempted to cause, and would be reasonably expected to cause substantial emotional distress to Person B; all in violation of 18 U.S.C. § 2261A(2).

COUNT 3

18 U.S.C. § 875(c)
(Interstate Threats)

On or about March 24, 2022, in the District of Utah,

MARK ERIC BAYNE,

the defendant herein, did knowingly transmit in interstate commerce a communication containing a threat to injure the person of another, Person A, to wit:

“I know this evil diseased envious sickly spiteful [N-word] whore [Person A who is identified by name and title] is involved in me not getting the benefits and health related services to which I am entitled. Tell that worthless down south deep south [N-word] bitch to get the fuck out of my way. She’ll understand that I’m the Man of The House when they put the cuffs in her. Stupid Southern [N-word] bitches.”

and then within this communication the defendant links to a music video entitled “Beef” depicting gang-style executions, drive-by shootings, rioting, assault, brandishing of firearms, and other violent acts, followed by

“NOTICE: If this down south deep south monkey ass sc¥m nigga wh0re wants beef...she picked the right pathetic worthless poor ignorant pu\$\$y a\$\$ punk b!tch nigga to either try to abuse or pretend to look the other way. I know exactly what you f™ck pig wh0res are.”

all in violation of 18 U.S.C. § 875(c).

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

Complainant, Robert Garcia, being duly sworn, hereby states the following:

1. I, Robert Garcia, am a criminal investigator with the U.S. Department of Veterans Affairs. I am currently assigned to the Salt Lake City VA Police Services. I am familiar with the facts and circumstances alleged in this Complaint.

2. On June On July 1, 2024 while working as a Law Enforcement Officer in the District of Utah, I discovered the following conduct at the conclusion of my personal investigation: From June 25, 2024 to July 1, 2024, MARK ERIC BAYNE used an electronic communication device to transmit (in interstate commerce) a total of 130 electronic message events via the Department of Veterans Affairs “AskVA” web-based messaging service to as many VA employees as he could contact. Using the pronoun “you,” BAYNE directed his messages to numerous VA employees receiving his AskVA event messages, impacting six different offices within the VA healthcare system, from local offices within Salt Lake City, Utah, to VA national/central offices in Washington D.C.. All 130 event messages were generated within a 7 day period (with 1 day of inactivity), with the submitted e-mail address identified as baynemarkeric@gmail.com, and consistent message sign-offs as “Mark Eric Bayne” or “Dr Mark bigMARK Eric Bayne BSc MPH PhD Sociobiology”.

3. On June 27, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees:

When your children get jumped and beat up, their lunch stolen; your men get mugged and stabbed; your women get punched in their face, pocketbooks snatched or faces slashed... I'll have nothing to do with it. You better pray that the goblins and goons don't feel like breaking into your homes; rapes; and God knows what else...and not to mention buying entry into your bullshit apartment and dusting the place with bacteria and herpes and HPV infectious agents...and putting these germs in your leftovers...

I'm never going to stop. I want what I've earned.

4. On June 27, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees, with an implied threat to harm their children:

I want the antibiotics that I've requested the Luspatercept, the TWO different forms of testosterone... everything that I'm supposed to get. ...and I know you spoiled temper tantrum assholes will retaliate. Please do. ... because even if I get what I'm telling you you better gives me you're still going to be harmed - physically and financially. I can't control that you slime drew first blood...just like the movie bitches. Y'all thugs, thieves, and gangsters, right? That's perfect. One by fucking one. Punk bitches. Your children first...if you have any.

5. On June 27, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees and/or their family/children:

Now, you pathetic worthless animals are going to learn exactly who you're fucking with. I'm not someone with whom you want to fuck. One by fucking one. Gang up on me if you want to - your children and/or significant other, siblings, next of kin, business associates, friends - will be first.

6. On June 27, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees and identified one of his victims, Person A, by her title:

You will not be ALLOWED to dictate nor control my healthcare. I know the identity of the insidious worthless [N-word] that is assigned as [Person A, identified by title]. If you punk bitches think you can terrorize and bully me into submission - that will never happen.

7. On June 28, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees and expressed his intent to threaten to harm Persons A and B:

I know this evil diseased envious sickly spiteful [N-word] whore [Person A, identified by name and title] is involved in me not getting the benefits and health related services to which I am entitled. Tell that worthless down south deep south [N-word] bitch to get the fuck out of my way. She'll understand that I'm the Man of The House when they put the cuffs in her. Stupid Southern [N-word] bitches. Hey FCC, Butner Warden...

Beef

<https://youtu.be/kPuFUeeBpmU?si=etnEYeomaL9QR2F3>

NOTICE: If this down south deep south monkey ass sc¥m nigga wh0re wants beef...she picked the right pathetic worthless poor ignorant pu\$\$y a\$\$ punk b!tch nigga to either try to abuse or pretend to look the other way. I know exactly what you f™ck pig wh0res are.

[Omitted Web Link]

Who is [Person B identified by name]?

Is she a doctor, a physician assistant or a nurse? She thinks she's all three....and the State of Utah wants her to harm me...

One by f¥cking one....down south nigga scum. You w0rthlçss animals. Your children first. Since it offends you that I have some.

The first web link references BAYNE's interpretation of "beef" to a music video labeled "Beef," which features numerous depictions of gang-style executions into a vehicle and from a vehicle (both movie-depicted and real incidents), rioting, an unprovoked assault (by an inmate) against correctional officers, public fighting, gang-style intimidation tactics, and numerous depictions of the brandishing of a firearm.

The second web link refers to the identification of Person A, which demonstrates BAYNE's intention to specifically target her, using the catch-phrase, "uno-por-uno," or one-for-one, and referring to Person A in as a "nigga-whore," or "[N-word]-whore."

8. On June 28, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees, targeting Persons A and B and identifying them by name and title:

[Person A, identified by name]: [Person A, identified by title]
[Omitted name]: *State of Utah Congresswoman*
[Person B identified by name]: [Person B identified by title] *at Salt Lake City VA Medical Center (lied to me and told she was my "nurse") Did she try to forcibly prescribed me anti-psychotic medications?*
All black women who can trace some or all of their lineage to the South East Quadrant of the United States...
One by fucking one. Uno por uno.

9. On June 28, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees in which he targets Person A (using the previously used pronoun “[N-word] whore”):

So, you're going to threaten me with police because you love Peckerwood in your ass that fucking much you worthless fucking [N-word]. You are a worthless fucking monkey [N-word] from the south hiding behind your computer, right?... Go ahead and call the police to whip and lynch me, [N-word] whore. Hopefully, they don't rape your baby boy in his dirty ass. You a good [N-word]. Good [N-word].

10. On June 29, 2024, in one of his AskVA messages, BAYNE sent the following message to VA employees in which he targets Person A (using the pronoun “[N-word] bitch”) and/or VA employees, resulting from his following statement:

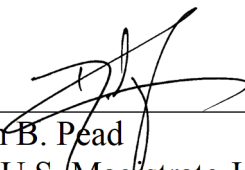
You worthless old dirty black down south [N-word] bitch.
I told you not to garnish my fucking disability compensation and you did it just for spite. That's how I know you dumb [N-word]s whores really enjoy sucking on the white cock that just been all in your ass.
Fuck you!

Based on the foregoing information, I respectfully request that a warrant of arrest be issued for MARK ERIC BAYNE for violations of 18 U.S.C. § 2261A(2)(b) and Violation of 18 U.S.C. § 875(c). I swear the information contained in this affidavit is true and correct to the best of my knowledge, information, and belief.

DATED this 3rd day of July, 2024.

/s/ Robert Garcia
Affiant,
Criminal Investigator Robert J. Garcia
U.S. Department of Veterans Affairs
Police Services (VASLCHCS)

SUBSCRIBED AND SWORN to before me via video-teleconference this 3rd day of July, 2024.


Dustin B. Pead
Chief U.S. Magistrate Judge, District of Utah



APPROVED AS TO FORM:

TRINA A. HIGGINS
United States Attorney

/s/ Cameron P. Warner
Cameron P. Warner
Assistant United States Attorney